

REMARKS/ARGUMENT

SUMMARY OF THE PRESENT AMENDMENT

In accordance with Rule 173(g), all of the amendments herein are relative to the issued patent -- not relative to the text that existed prior to the present amendment. Amendments other than those being presented for the first time herein were previously discussed in prior submissions. In the present amendment, claim 18 is amended to reflect an examiners amendment that accompanied the notice of allowance mailed June 4, 2002 during the original prosecution that matured into original patent number 6,440,392.

Finally, a new abstract is submitted with underlines to reflect that it is new. The abstract is otherwise unchanged from the prior version mailed on May 8, 2008.

SUMMARY OF INTERVIEW SUBSTANCE UNDER M.P.E.P. § 713.04

The undersigned had a series of telephone discussions with Examiner Haghighatian on each of July 10, 14, 15 and 17. The examiner stated that quality control personnel at the USPTO had requested a further explanation of specification support, and supporting experimental data, for certain amendments made during reissue proceedings, and certain values stated in the specification. Claim 13 and several specification passages were discussed. The specific issues discussed in the foregoing telephone discussions were the matters set forth in the caption headings of the FOURTH DECLARATION OF INVENTOR WILLIAM STERN UNDER 37 CFR §1.132, which applicant filed on July 25, 2008. The examiner also noted that the new abstract was not underlined to reflect that it was new. An underlined version is submitted herewith.

SUBMISSION OF REISSUE INVENTOR'S DECLARATION


Finally, applicant encloses another Supplemental Declaration for Reissue Patent Application to Correct "Errors" Statement (37 C.F.R. 1.175).

CONCLUSION

It is believed that the application is now in condition for allowance. Issuance of a notice of allowance is solicited.

Respectfully submitted,

THIS CORRESPONDENCE IS BEING
SUBMITTED ELECTRONICALLY
THROUGH THE PATENT AND
TRADEMARK OFFICE EFS FILING
SYSTEM ON July 30, 2008.



William O. Gray, III
Registration No.: 30,944
OSTROLENK, FABER, GERB & SOFFEN, LLP
1180 Avenue of the Americas
New York, New York 10036-8403
Telephone: (212) 382-0700

WOG:ns

APPENDIX A

Claim Number (Status)	Nature of Change/Recitation	Supporting Text in Original Patent
1-12 (canceled)	n/a	n/a
13 (pending)	citric acid concentration; rewritten in independent form; “and/or” changed to Markush format	Table 1; Table 3
14 (pending)	claim dependency only	original claim 14
15 (pending)	citric acid concentration; rewritten into independent format; “and/or” changed to Markush format	original claim 15; Table 1; Table 3
16 (pending)	claim dependency only	original claim 16
17 (pending)	claim dependency only	original claim 17
18 (pending)	“about” removed before “10”	original claim 18
19 (pending)	typographical error “MRC”; no substantive change	original claim 19
20 (pending)	claim dependency only	original claim 20
21 (pending)	no change	original claim 21
22 (pending)	“about” removed; citric acid concentration	original claim 22; Tables 1 and 3
23 (pending)	“about” removed; citric acid concentration	original claim 23; Tables 1 and 3
24 (pending)	citric acid concentration	Claim 19
25 (pending)	pH range	col. 3, line 12
26 (pending)	pH range	col. 3, line 12
27 (pending)	aqueous saline	col. 3, line 2
28 (pending)	viscosity	col. 3, lines 19-20
29 (pending)	polyoxyethylene (20) sorbitan monooleate	original claim 16
30 (pending)	preservatives	original claim 17

Claim Number (Status)	Nature of Change/Recitation	Supporting Text in Original Patent
31 (pending)	aqueous saline; osmotic pressure	col. 3, line 2; col. 3, lines 16-18
32 (pending)	salmon calcitonin	examples 1, 2 and 3
33 (pending)	salmon calcitonin	examples 1, 2 and 3
34 (pending)	method of nasal administration	original claim 20; col. 3, lines 43-56
35 (pending)	method of nasal administration	original claim 20; col. 3, lines 43-56
36 (pending)	method of nasal administration	original claim 20; col. 3, lines 43-56
37 (pending)	method of nasal administration	original claim 20; col. 3, lines 43-56
38 (pending)	method of nasal administration	original claim 20; col. 3, lines 43-56
39 (pending)	method of nasal administration	original claim 20; col. 3, lines 43-56
40 (pending)	method of nasal administration	original claim 20; col. 3, lines 43-56
41 (pending)	pH range	col. 3, line 12
42 (pending)	pH range	col. 3, line 12
43 (pending)	aqueous saline; osmotic pressure	col. 3, line 2; col. 3, lines 16-18
44 (pending)	aqueous saline; osmotic pressure	col. 3, line 2; col. 3, lines 16-18
45 (pending)	preservatives	original claim 17